

# **Exhibit 5**

**CUSTOMER CLAIM**

Claim Number \_\_\_\_\_

Date Received \_\_\_\_\_

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

**DECEMBER 11, 2008**

(Please print or type)

Name of Customer: Aozora Bank Ltd., Attn: Jonathan Fiorello  
Mailing Address: 3-1, Kudan-minami, 1-chome, Chiyoda-ku  
City: Tokyo 102-8660 State: Japan Zip: \_\_\_\_\_  
Account No.: SS Security Yen Unit Trust - See Attachment.  
Taxpayer I.D. Number (Social Security No.): \_\_\_\_\_

**NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.**

\*\*\*\*\*

1. Claim for money balances as of **December 11, 2008:**

- a. The Broker owes me a Credit (Cr.) Balance of \$ 151,425.31
- b. I owe the Broker a Debit (Dr.) Balance of \$ \_\_\_\_\_
- c. If you wish to repay the Debit Balance, please insert the amount you wish to repay and attach a check payable to "Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC." If you wish to make a payment, **it must be enclosed** with this claim form. \$ \_\_\_\_\_
- d. If balance is zero, insert "None." \$ \_\_\_\_\_

2. Claim for securities as of **December 11, 2008:**

**PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.**

	YES	NO
a. The Broker owes me securities		<input checked="" type="checkbox"/>
b. I owe the Broker securities		<input checked="" type="checkbox"/>
c. If yes to either, please list below:		<input checked="" type="checkbox"/>

Date of Transaction (trade date)	Name of Security	Number of Shares or Face amount of Bonds	
		The Broker Owes Me (Long)	I Owe the Broker (Short)

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**

**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**

- |   | <u>YES</u>                  | <u>NO</u>                   |
|---|-----------------------------|-----------------------------|
| 3. Has there been any change in your account since December 11, 2008? If so, please explain.  | <u>                    </u> | <u>X</u>                    |
| 4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?   | <u>                    </u> | <u>X</u>                    |
| 5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker? | <u>                    </u> | <u>X</u>                    |
| 6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)    | <u>                    </u> | <u>X</u>                    |
| 7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.                         | <u>X</u>                    | <u>                    </u> |
| 8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.                   | <u>                    </u> | <u>X</u>                    |
| 9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? If so, give name of that broker.  | <u>                    </u> | <u>X</u>                    |

Please list the full name and address of anyone assisting you in the preparation of this claim form:

Karl Geercken  
Alston & Bird LLP  
90 Park Avenue  
New York, NY 10016

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date

6/17/09

Signature

Jonathan Fiorello

Aozora Bank Ltd.

Senior Managing Executive Officer

Head of Investment Banking Group

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

**Customer Claim Attachment**

Aozora Bank, Ltd. ("Aozora") files this customer claim for \$151,425.31 in cash that was invested with Bernard L. Madoff Investment Securities, LLC ("BLMIS") through SS Security Yen Unit Trust (the "SS Security Fund").

Aozora's investments in the SS Security Fund were denominated in Japanese Yen ("JPY"). For the sole purpose of submitting this claim, the exchange rate as of December 11, 2008 of 1 JPY = 0.0108743 USD is used for estimating Aozora's exposure to BLMIS through the SS Security Fund in U.S. dollars. As of November 30, 2008, the value of Aozora's total investment in the SS Security Fund was \$21,063,385.90. See SS Security Yen Trust November 30, 2008 Statement, attached hereto as Exhibit A. Approximately 2.41% of the SS Security Fund was invested in Ariel Fund Limited (the "Ariel Fund"). See November 2008 Final Attribution, attached hereto as Exhibit B. Approximately 29.83% of the Ariel Fund was invested with BLMIS. At this time, it is estimated that Aozora invested approximately \$151,425.31 in BLMIS as a result of its investment in the SS Security Fund.

This claim is being filed by a bank for losses suffered solely by the bank, and Aozora is making no claims on behalf of any customer.

Please send a copy of all notices or correspondence with regards to this claim to counsel for Aozora at the following address:

Alston & Bird LLP  
90 Park Avenue  
New York, NY 10016  
Attn: Karl Geercken

**EXHIBIT A**

**SS SECURITY YEN UNIT TRUST**  
**STATEMENT OF CHANGES IN NET ASSET VALUE AND UNITS - CLASS 2005/6**  
**November 30, 2008**

Aozora Bank, Ltd  
3-1, Kudan-minami  
1-chome, Chiyoda-ku  
Tokyo 102-8660, Japan

Account Name: Aozora Bank, Ltd.

Attention: Atsushi Hanaoka

E-mail: a.hanaoka@aozorabankbank.co.jp

Attention: Atsushi Hanaoka

Fax: +81-3-3261-6568

*Your Portfolio Value*

	<u>Total Units</u>	<u>Month Ended You</u>
<i>Net asset value at October 31, 2008</i>	248,607.7963	2,012,443,424
<i>Unitholders' subscriptions</i>		
<i>Unitholders' withdrawals</i>		
<i>Net income (loss)</i>		(75,455,672)
<i>Net asset value at November 30, 2008</i>	<u>248,607.7963</u>	<u>1,936,987,751</u>
<i>Net asset value per unit at November 30, 2008</i>		<u>7.792</u>
<i>Monthly Return</i>		<u>-3.749%</u>
<i>Year To Date Return</i>		<u>-22.472%</u>

UNAUDITED

Prepared by Dundee Leeds Management Services (Cayman) Ltd.  
P.O. Box 2506 GT  
2nd Floor, Waterfront Centre, 28 North Church Street, George Town  
Grand Cayman, Cayman Islands, B.W.I.  
Tel: 1 345 945 1510. Fax: 1 345 945 4675





**EXHIBIT B**

STERLING STAMOS SECURITY (OFFSHORE) FUND, LTD.  
November Final Attribution

Investment	Strategy	Sub-Strategy	November-08 MTD Return %	November-08 Allocation	November-08 Attribution
Allen Arbitrage Offshore	Event Driven	Risk Arbitrage	-0.63%	2.35%	-0.01%
Alydar Fund Limited	Arbitrage	Equity Market Neutral	-1.08%	2.52%	-0.03%
Anchorage Capital Partners Offshore, LTD	Credit	L/S Credit	-1.40%	2.30%	-0.05%
Ariel Fund Limited	Event Driven	Distressed	-31.92%	2.41%	-0.77%
Aristeia International Limited	Arbitrage	Convertible Arbitrage	0.46%	1.94%	0.01%
Avenue Asia International, Ltd.	Event Driven	Distressed	-17.06%	0.02%	0.00%
Bennelong Asia Pacific Multi Strategy Equity Fund, Ltd.	Arbitrage	Options Arbitrage	-4.40%	2.57%	-0.11%
Black River Commodity Multi-Strategy Fund, Ltd.	Multi Strategy	Multi Strategy	-0.61%	0.13%	0.00%
Canyon Value Realization Fund (Cayman) Ltd	Multi Strategy	Multi Strategy	-5.83%	2.00%	-0.12%
Cerberus FIM Investors, LLC	Event Driven	Distressed	0.00%	1.20%	0.00%
Cerberus International, Ltd.	Event Driven	Distressed	-3.50%	4.63%	-0.16%
D.B. Zwirn Special Opportunities Fund, Ltd.	Credit	Loan Origination	-4.88%	7.00%	-0.34%
D.E. Shaw Composite International Fund	Arbitrage	Statistical Arbitrage	-7.33%	0.59%	-0.04%
Davidson Kempner International, Ltd	Multi Strategy	Multi Strategy	-1.91%	2.40%	-0.05%
Diamondback Offshore Fund, Ltd.	Multi Strategy	Multi Strategy	1.13%	2.49%	0.03%
Dolphin Capital Properties Limited	Special Situations	Direct/Co-Investments	0.00%	0.03%	0.00%
Drawbridge Special Opportunities Fund, Ltd	Credit	Loan Origination	-5.63%	0.88%	-0.08%
Elliott International Limited	Multi Strategy	Multi Strategy	-4.80%	7.48%	-0.36%
Eton Park Overseas Fund, Ltd.	Multi Strategy	Multi Strategy	0.22%	2.48%	0.01%
FCOI II Holdings, L.P.	Multi Strategy	Multi Strategy	-3.28%	13.06%	-0.43%
Fir Tree Capital Opportunity Fund II, Ltd.	Event Driven	Special Situations	-1.49%	2.39%	-0.04%
Harbinger Capital Partners Offshore Fund, I Ltd.	Credit	L/S Credit	-6.22%	1.90%	-0.12%
Highfields Capital Ltd.	L/S Equity	L/S Equity	-4.45%	1.08%	-0.05%
Kensico Offshore Fund, Ltd.	L/S Equity	L/S Equity	-1.90%	3.29%	-0.06%
King Street Capital, Ltd.	Credit	L/S Credit	1.01%	2.93%	0.03%
KKR Strategic Capital Overseas Fund, Ltd.	Event Driven	Distressed	-38.62%	1.56%	-0.60%
Marathon Overseas Fund, Ltd.	Arbitrage	Relative Value	-2.58%	1.12%	-0.03%
Marathon Special Opportunity Fund Ltd.	Event Driven	Distressed	-6.27%	3.64%	-0.23%
Marathon Structured Finance Fund, Ltd.	Credit	Loan Origination	-5.80%	3.14%	-0.18%
Meditor European Hedge Fund	L/S Equity	L/S Equity	5.52%	1.25%	0.07%
Paulson Enhanced Ltd.	Event Driven	Risk Arbitrage	0.78%	0.73%	0.01%
Paulson International Ltd.	Event Driven	Risk Arbitrage	0.50%	2.07%	0.01%
Perry Partners International, Inc.	Multi Strategy	Multi Strategy	-9.26%	1.99%	-0.18%
Pershing Square International, Ltd.	L/S Equity	L/S Equity	-5.26%	1.12%	-0.06%
Pond View Credit Fund, Ltd.	Credit	L/S Credit	-6.45%	0.94%	-0.05%
RS, Ltd.	Credit	L/S Credit	-11.87%	4.27%	-0.51%
Satellite Overseas Fund, Ltd	Event Driven	Distressed	-13.52%	1.78%	-0.24%
Silver Point Capital Offshore Fund, Ltd.	Event Driven	Distressed	-9.74%	2.08%	-0.20%
Spinnaker Global Opportunity Fund Ltd.	Event Driven	Special Situations	-2.17%	1.00%	-0.02%
Strategic Value Restructuring Fund Ltd.	Event Driven	Distressed	-2.33%	2.24%	-0.05%
Tacnic Opportunity Offshore Fund Ltd.	Multi Strategy	Multi Strategy	-1.40%	2.26%	-0.03%
Tiger Asia Overseas Fund, Ltd	L/S Equity	L/S Equity	-15.46%	0.92%	-0.14%
TPG-Axon Partners (Offshore), Ltd.	Event Driven	Special Situations	-1.89%	1.96%	-0.04%
YR Global Offshore Fund Ltd.	Event Driven	Distressed	0.42%	0.76%	0.00%
Wharton Asian Arbitrage Fund I	Arbitrage	Options Arbitrage	0.31%	1.23%	0.00%
Whitebox Combined Fund, Ltd.	Arbitrage	Capital Structure Arbitrage	-10.99%	1.57%	-0.17%
Cash, Cash Equivalent & Receivables	Cash, Cash Equivalent	Cash, Cash Equivalent & R	0.19%	-7.18%	-0.03%
Total Investments				100.00%	-5.37%
				Investments	-5.37%
				Fund Hedging	NA
				Fund Expenses	-0.11%
				Actual Net	-5.47%

\* The above numbers are based on unaudited figures provided by our underlying fund managers and are subject to change. Individual investor performance percentages will vary depending on the date of investment. The allocations with respect to strategy and underlying managers are subject to change at the sole discretion of the general partner.

**IMPORTANT DISCLOSURE INFORMATION**

This presentation shall not constitute an offer to sell or the solicitation of any offer to buy which may only be made at the time a qualified investor receives (i) a final confidential memorandum (the "Memorandum") and a Limited Partnership Agreement (the "Partnership Agreement") describing our domestic funds or (ii) a Memorandum describing our offshore funds (together with our domestic funds, our "Funds"). The Partnership Agreement and each of the Memoranda are referred to collectively as the "Fund Documents." In the event of any inconsistency between this presentation and the Fund Documents, the Fund Documents will govern. This presentation and its contents are strictly confidential and are not to be provided to any person without the prior written approval of (i) SSP Associates GP, LLC (the "General Partner") with respect to investors in our domestic funds or (ii) Sterling Stamos Capital Management, L.P. (the "Investment Manager") with respect to investors in our offshore funds. An investment in our Funds may involve significant risks, including the risk of loss of the amount invested. While the utilization of a multi-manager/fund of funds structure may reduce the level of risk through diversification, such a structure will result in our Funds having multiple management fees and incentive allocations. Although this presentation has been prepared from public and private sources and data that the General Partner and/or the Investment Manager believes to be reliable, neither the General Partner nor the Investment Manager makes any representation as to its accuracy or completeness. The performance results shown in this presentation are net of the Funds' performance allocation and management fees and include the reinvestment of all income. Categorization of the strategies of the underlying funds are based on information provided by the underlying managers and are therefore subject to change without notice. In considering the prior performance information contained herein, investors should bear in mind that past performance is no guarantee of future results and there can be no assurance that the Funds will achieve comparable results. There can be no assurance that any estimated returns contained in this presentation will be realized or that actual results will not be materially lower than those estimated.